

CHAPTER 1114

SPEECH PATHOLOGISTS AND AUDIOLOGISTS

S. F. 476

AN ACT to provide for the licensing of speech pathologists and audiologists and to establish an examining board.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. NEW SECTION. **Definitions.** As used in this Act, unless the
2 context otherwise requires:

3 1. "Board" means the Iowa board of speech pathology and audiology
4 examiners established pursuant to this Act.

5 2. "Speech pathologist" means a person who engages in the practice of speech
6 pathology as defined in this section.

7 3. "Audiologist" means a person who engages in the practice of audiology as
8 defined in this section.

9 4. The "practice of speech pathology" means the application of principles,
10 methods, and procedures for the measurement, testing, evaluation, prediction,
11 consultation, counseling, instruction, habilitation, rehabilitation, or remediation
12 related to the development and disorders of speech, fluency, voice, or language
13 for the purposes of nonmedically evaluating, preventing, ameliorating, modifying,
14 or remediating such disorders and conditions in individuals or groups of
15 individuals.

16 5. The "practice of audiology" means the application of principles, methods,
17 and procedures for measurement, testing, evaluation, prediction, consultation,
18 counseling, instruction, habilitation, rehabilitation, or remediation related to
19 hearing and disorders of hearing and associated communication disorders for the
20 purpose of nonmedically evaluating, identifying, preventing, ameliorating,
21 modifying, or remediating such disorders and conditions in individuals or groups
22 of individuals, including the determination and use of appropriate amplification.

1 SEC. 2. NEW SECTION. **Applicability.** Nothing contained in this Act shall be
2 construed to apply to:

3 1. Licensed physicians and surgeons, licensed osteopathic physicians and
4 surgeons, approved physician's assistants and registered nurses acting under the
5 supervision of a physician, persons conducting hearing tests under the direct
6 supervision of a licensed physician and surgeon or licensed osteopathic physician
7 and surgeon, or students of medicine or surgery or osteopathic medicine and
8 surgery pursuing a course of study in a medical school or college of osteopathic
9 medicine and surgery approved by the medical examiners while performing
10 functions incidental to their course of study.

11 2. Hearing aid fitting, the dispensing or sale of hearing aids and the providing
12 of hearing aid service and maintenance by a hearing aid dealer or holder of a
13 temporary permit as defined and licensed under chapter one hundred fifty-four A
14 (154A) of the Code.

15 3. Students enrolled in an accredited college or university pursuing a course of
16 study leading to a degree in speech pathology or audiology while receiving
17 clinical training as a part of the course of study and acting under the supervision
18 of a licensed speech pathologist or audiologist provided they use the title
19 "trainee" or similar title clearly indicating training status.

20 4. Nonprofessional aides who perform their services under the supervision of a
21 speech pathologist or audiologist as appropriate and who meet such qualifications
22 as may be established by the board for aides if they use the title "aide",
23 "assistant", "technician", or other similar title clearly indicating their status.

24 5. Audiometric tests administered pursuant to the United States Occupational
 25 Safety and Health Act of 1970 or chapter eighty-eight (88) of the Code, and in
 26 accordance with regulations issued thereunder, by employees of a person engaged
 27 in business, including the state of Iowa, its various departments, agencies, and
 28 political subdivisions, solely to employees of such employer, while acting within
 29 the scope of their employment.

30 6. Persons certified by the department of public instruction as speech clinicians
 31 or hearing clinicians and employed by a school district or area education agency
 32 while acting within the scope of their employment.

33 A person exempted from the provisions of this Act by this section shall not use
 34 the title speech pathologist or audiologist or any title or device indicating or
 35 representing in any manner that the person is a speech pathologist or is an
 36 audiologist; provided, a hearing aid dealer licensed under chapter one hundred
 37 fifty-four A (154A) of the Code may use the title "certified hearing aid
 38 audiologist" when granted by the national hearing aid society; and provided,
 39 persons who meet the requirements of subsection one (1) of section three (3) of
 40 this Act who are certified by the department of public instruction as speech
 41 clinicians may use the title speech pathologist and persons who meet the
 42 requirements of subsection two (2) of section three (3) of this Act who are
 43 certified by the department of public instruction as hearing clinicians may use the
 44 title audiologist, while acting within the scope of their employment.

1 SEC. 3. NEW SECTION. **Requirements for license.** Each applicant for a
 2 license as a speech pathologist or audiologist shall meet all of the following
 3 requirements:

4 1. For a license as a speech pathologist:

5 a. Possess a masters degree or its equivalent from an accredited school, college,
 6 or university with a major in speech pathology.

7 b. Show evidence of completion of not less than two hundred seventy-five
 8 hours of supervised clinical training in speech pathology as a student in an
 9 accredited school, college or university.

10 c. Show evidence of completion of not less than nine months clinical experience
 11 under the supervision of a licensed speech pathologist following the receipt of the
 12 masters degree.

13 2. For a license as an audiologist:

14 a. Possess a masters degree or its equivalent from an accredited school, college
 15 or university with a major in audiology.

16 b. Show evidence of completion of not less than two hundred seventy-five
 17 hours of supervised clinical training in audiology as a student in an accredited
 18 school, college or university.

19 c. Show evidence of completion of not less than nine months clinical experience
 20 under the supervision of a licensed audiologist following the receipt of the masters
 21 degree.

22 3. Pass an examination administered by the board to assure the applicant's
 23 professional competence in speech pathology or audiology.

1 SEC. 4. NEW SECTION. **Examination.** The examinations required in section
 2 three (3), subsection three (3), of this Act may, at the discretion of the board, be
 3 waived for any of the following persons:

4 1. For holders by examination of licenses or certificates from states whose
 5 requirements are substantially equivalent to those of this Act.

6 2. For holders on the effective date of this Act of certificates of clinical
 7 competence from the American speech and hearing association.

8 3. For holders on the effective date of this Act of statements of professional
 9 recognition as speech clinicians or hearing clinicians from the department of
 10 public instruction.

11 4. For holders on the effective date of this Act of certificates with endorsement
 12 as a speech clinician or a hearing clinician from the department of public
 13 instruction.

14 Any person who within one year after the effective date of this Act meets the
 15 requirements specified in section three (3) of this Act for licensure except section
 16 three (3), subsection three (3), of this Act shall be licensed without having passed
 17 the examination required in section three (3), subsection three (3), of this Act.

18 The requirements of section three (3), subsections one (1) and two (2), of this
 19 Act may, at the discretion of the board, be waived for any person who has
 20 completed five years of experience in the profession of speech pathology or
 21 audiology on the effective date of this Act which in the opinion of the board is
 22 sufficient to qualify the person and the person may be licensed hereunder upon
 23 examination as provided in section three (3), subsection three (3), of this Act.

1 **SEC. 5. NEW SECTION. Temporary clinical license.** Any person who has
 2 fulfilled all of the requirements for licensure under this Act, except for having
 3 completed the nine months clinical experience requirement as provided in
 4 subsection one (1) or two (2) of section three (3) of this Act, may apply to the
 5 board for a temporary clinical license. The license shall be designated "temporary
 6 clinical license in speech pathology" or "temporary clinical license in audiology"
 7 and shall authorize the licensee to practice speech pathology or audiology under
 8 the supervision of a licensed speech pathologist or licensed audiologist, as
 9 appropriate. The license shall be valid for one year and may be renewed once at
 10 the discretion of the board. The fee for a temporary clinical license shall be set by
 11 the board to cover the administrative costs of issuing the license, and if renewed,
 12 a renewal fee as set by the board shall be required. A temporary clinical license
 13 shall be issued only upon evidence satisfactory to the board that the applicant
 14 will be supervised by a person licensed as a speech pathologist or audiologist, as
 15 appropriate. The board shall revoke any temporary clinical license at any time it
 16 shall determine either that the work done by the temporary clinical licensee or the
 17 supervision being given the temporary clinical* licensee does not conform to
 18 reasonable standards established by the board.

1 **SEC. 6. NEW SECTION. Temporary permit.** The board may, at its discretion,
 2 issue a temporary permit to nonresidents authorizing the permittee to practice
 3 speech pathology or audiology in this state for a period of not to exceed three
 4 months whenever, in the opinion of the board, a need exists and the permittee, in
 5 the opinion of the board, possesses the necessary qualifications which shall be
 6 substantially equivalent to those required for licensure by this Act.

1 **SEC. 7.** Section one hundred forty-seven point one (147.1), subsections two (2)
 2 and three (3), Code 1975, are amended to read as follows:

3 2. "Licensed" or "certified" when applied to a physician and surgeon,
 4 podiatrist, osteopath, osteopathic physician and surgeon, psychologist or associate
 5 psychologist, chiropractor, nurse, dentist, dental hygienist, optometrist, *speech*
 6 *pathologist, audiologist*, pharmacist, physical therapist, practitioner of cosmetology,
 7 practitioner of barbering, funeral director or embalmer shall mean a person
 8 licensed under this title.

9 3. "Profession" shall mean medicine and surgery, podiatry, osteopathy,
 10 osteopathic medicine and surgery, psychology, chiropractic, nursing, dentistry,
 11 dental hygiene, optometry, *speech pathology, audiology*, pharmacy, physical
 12 therapy, cosmetology, barbering, funeral directing or embalming.

1 **SEC. 8.** Section one hundred forty-seven point two (147.2), Code 1975, is
 2 amended to read as follows:

3 **147.2 License required.** No person shall engage in the practice of medicine
 4 and surgery, podiatry, osteopathy, osteopathic medicine and surgery, psychology,
 5 chiropractic, physical therapy, nursing, dentistry, dental hygiene, optometry,
 6 *speech pathology, audiology*, pharmacy, cosmetology, barbering, funeral directing

*According to enrolled Act

7 or embalming as defined in the following chapters of this title, unless he shall
8 have obtained from the state department of health a license for that purpose.

1 SEC. 9. Section one hundred forty-seven point three (147.3), Code 1975, is
2 amended to read as follows:

3 **147.3 Qualifications.** An applicant for a license to practice a profession
4 under this title shall not be ineligible because of age, citizenship, sex, race,
5 religion, marital status or national origin, although the application form may
6 require citizenship information. Any board may consider the past felony record of
7 an applicant only if the felony conviction relates directly to the practice of
8 medicine, podiatry, osteopathy, osteopathy and surgery, chiropractic, nursing,
9 psychology, optometry, *speech pathology, audiology*, pharmacy, physical therapy,
10 cosmetology, barbering or funeral directing or embalming for which the applicant
11 requests to be licensed. Character references may be required, but shall not be
12 obtained from licensed members of the profession.

1 SEC. 10. Section one hundred forty-seven point thirteen (147.13), Code 1975,
2 is amended to read as follows:

3 **147.13 Designation of boards.** The examining boards provided in section
4 147.12 shall be designated as follows: For medicine and surgery, and osteopathy,
5 and osteopathic medicine and surgery, medical examiners; for psychology,
6 psychology examiners; for podiatry, podiatry examiners; for chiropractic,
7 chiropractic examiners; for physical therapists, physical therapy examiners; for
8 nursing, board of nursing; for dentistry and dental hygiene, dental examiners; for
9 optometry, optometry examiners; *for speech pathology and audiology, speech*
10 *pathology and audiology examiners*; for cosmetology, cosmetology examiners; for
11 barbering, barber examiners; for pharmacy, pharmacy examiners; for funeral
12 directing and embalming, funeral director and embalmer examiners.

1 SEC. 11. Section one hundred forty-seven point fourteen (147.14), Code 1975,
2 is amended by adding the following new subsection:

3 NEW SUBSECTION. For speech pathology and audiology examiners, five
4 members licensed to practice speech pathology or audiology at least two of which
5 shall be licensed to practice speech pathology and at least two of which shall be
6 licensed to practice audiology, and two members who are not licensed to practice
7 speech pathology or audiology and who shall represent the general public. A
8 majority of the members of the board shall constitute a quorum.

1 SEC. 12. Section one hundred forty-seven point eighty (147.80), Code 1975, is
2 amended by inserting the following new subsection after subsection fourteen (14)
3 and renumbering the remaining subsections:

4 NEW SUBSECTION. 15. License to practice speech pathology or audiology
5 issued on the basis of an examination given by the board of speech pathology and
6 audiology, or license to practice speech pathology or audiology issued under a
7 reciprocity agreement, renewal of a license to practice speech pathology or
8 audiology.

1 SEC. 13. The initial board shall be appointed by the governor within sixty
2 days after the effective date of this Act. The initial members of the board
3 appointed by the governor as speech pathologists or audiologists shall meet the
4 qualifications for licensure as prescribed by this Act, except examination,
5 provided that they shall become licensed as speech pathologists or audiologists, or
6 both, according to their respective qualifications upon appointment. Two of the
7 initial professional members of the board shall serve one-year terms, one shall
8 serve a two-year term, and two shall serve three-year terms respectively and the
9 two public members shall serve two-year and three-year terms respectively. The
10 initial members of the board shall take office immediately upon appointment and
11 shall serve until sixty days after the convening of the next session of the general

12 assembly when their appointments shall terminate unless sooner approved by the
13 senate.

1 SEC. 14. Section eight (8) of this Act shall become effective January 1, 1977.

Approved February 17, 1976

CHAPTER 1115

NURSES

H. F. 1503

AN ACT relating to the practice of nursing and providing for disciplinary procedures.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. NEW SECTION. **Definitions.** As used in this Act:
2 1. The "practice of nursing" means the practice of a registered nurse or a
3 licensed practical nurse. It does not mean any of the following:
4 a. The practice of medicine and surgery, as defined in section one hundred
5 forty-eight (148) of the Code, the osteopathic practice, as defined in chapter one
6 hundred fifty (150) of the Code, the practice of osteopathic medicine and surgery,
7 as defined in chapter one hundred fifty A (150A) of the Code, or the practice of
8 pharmacy as defined in chapter one hundred fifty-five (155) of the Code, except
9 practices which are recognized by the medical and nursing professions and
10 approved by the board as proper to be performed by a registered nurse.
11 b. The performance of nursing services by a student enrolled in an approved
12 program of nursing if the performance is incidental to a course of study under
13 this program.
14 c. The performance of services by employed workers in offices, hospitals, or
15 health care facilities, as defined in section one hundred thirty-five C point one
16 (135C.1) of the Code, under the supervision of a physician or a nurse licensed
17 under this Act, or employed in the office of a psychologist, podiatrist,
18 optometrist, chiropractor, speech pathologist, audiologist, or physical therapist
19 licensed to practice in this state, and when acting while within the scope of the
20 employer's license.
21 d. The practice of a nurse licensed in another state and employed in this state
22 by the federal government if the practice is in discharge of official employment
23 duties.
24 e. The care of the sick rendered in connection with the practice of the religious
25 tenets of any church or order by the adherents thereof which is not performed for
26 hire, or if performed for hire by those who depend upon prayer or spiritual means
27 for healing in the practice of the religion of their church or denomination, so long
28 as they do not otherwise engage in the practice of nursing as practical nurses.
29 2. The "practice of the profession of a registered nurse" means the practice of a
30 natural person who is licensed by the board to do all of the following:
31 a. Formulate nursing diagnosis and conduct nursing treatment of human
32 responses to actual or potential health problems through services, such as case
33 finding, referral, health teaching, health counseling, and care provision which is
34 supportive to or restorative of life and well-being.
35 b. Execute regimen prescribed by a physician.
36 c. Supervise and teach other personnel in the performance of activities relating
37 to nursing care.
38 d. Perform additional acts or nursing specialties which require education and
39 training under emergency or other conditions which are recognized by the